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09/479,214	01/07/2000	MASAHIRO IWADATE	862.3202	2786

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EXAMINER
FOSTER, JUSTIN B

ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 09/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/479,214	IWADATE, MASAHIRO	
	Examiner	Art Unit	
	Justin Foster	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-16 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-16 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Multi-Function Image Output Apparatus with Error Control.

2. The disclosure is objected to because of the following informalities: Elements 210 and 222 of Figure 2 are not described in the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3, 8-9 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Maniwa, *et al.* (4,860,119). With regard to claim 1, Maniwa discloses an image output apparatus comprising a printer engine, element 90 of figure 12, which is an image generating means for generating image data based upon input data. The apparatus of Maniwa further comprises a printer controller, element 130 of figure 12, which is a control means for receiving and controlling output of the image data that has been generated by said image generating means. Maniwa further discloses, in lines 16-20 of column 39, the situation wherein the printer

controller issues the printer engine an initialization command in response to the detection of an error.

5. With regard to claim 3, Maniwa further discloses, in lines 51-57 of column 39, that the controller may start a communication error processing if the printer engine does not send the response to an instruction within 1 second.

6. With regard to claim 8, Maniwa discloses a method of controlling an image output apparatus comprising the step of detecting occurrence of an error in the image generating means, as described in lines 6-16 of column 39, and the step of issuing the generating means an order to execute initialization when an error has been detected, as described in lines 16-20 of column 39, the situation wherein the printer controller issues the printer engine an initialization command in response to the detection of an error.

7. With regard to claim 9, Maniwa further discloses, in lines 51-57 of column 39, that the controller may start a communication error processing if the printer engine does not send the response to an instruction within 1 second.

8. With regard to claim 14, Maniwa discloses a CPU, element 131 of figure 12, which is a computer-readable storage medium storing a program for executing each step of the method described in claim 8, as described in lines 29-31 of column 16.

9. With regard to claim 15, Maniwa discloses a ROM, element 132 of figure 12, which is a computer program product capable of being loaded in a memory within a digital computer, said program product including program code code for executing each step of the method described in claim 8, as described in lines 31-33 of column 16.

10. With regard to claim 16, Maniwa discloses the invention as stated in claim 1. Maniwa further discloses, in lines 35-42 of column 6, input means for inputting the input data.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 2, 4, 7, 10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maniwa in view of Kageyama, *et al.* (J.P.O. 403155974A, see English translation). With regard to claim 2, Maniwa discloses the invention as stated in claim 1. Maniwa does not disclose the image generating means detecting the occurrence of a fatal error and so notifying the control means. Kageyama teaches, in lines 6-15 of page 12, that wherein the printer, which is an image generating means, detects the occurrence of a fatal error and so notifies said control means, whereby said control means detects the occurrence of an error in said image generating means. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the control means, wherein said image generating means detects the occurrence of a fatal error and so notifies said control means, to detect the occurrence of an error in said image generating means. This would provide accurate error detection in the apparatus.

13. With regard to claim 4, Maniwa discloses the invention as stated in claim 1. Maniwa further discloses, in lines 32-34 of column 39, that the control means halts communication with the image generating means upon detection of the occurrence of an error. Maniwa does not

disclose the notification of an operator of occurrence of the error. Kageyama teaches, in lines 20-21 of page 12, that the user is notified upon detection of the occurrence of an error before the order to execute initialization is issued. This user notification is inherently done by a display or sound, since those are the only ways a computer can communicate with a user. It would have been obvious to one of ordinary skill in the art at the time the invention was made to notify the user with a display or sound about the detection of the occurrence of an error before the order to execute initialization is issued to the image generating means. This would allow the user the opportunity to fix the error if user intervention were needed.

14. With regard to claim 7, Maniwa discloses the invention as stated in claim 1. Maniwa does not disclose an input means for allowing an operator to perform an input to reset to recover from an error. Kageyama teaches, in lines 3-4 of page 20, an input unit, which is an input means for allowing an operator to perform an error recovery input causing the control means to issue the image generating means an order to execute initialization. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the apparatus to comprise an input means for allowing an operator to perform an input; wherein when an order to reset to recover from an error is input by said input means in response to occurrence of the error, the control means issues the image generating means an order to execute initialization. This would allow for an operator to make any necessary adjustments to the apparatus in order to fix the detected error.

15. With regard to claim 10, Maniwa discloses the invention as stated in claim 8. Maniwa further discloses, in lines 32-34 of column 39, that communication with the image generating means is halted upon detection of the occurrence of an error. Maniwa does not disclose the

notification of an operator of occurrence of the error. Kageyama teaches, in lines 20-21 of page 12, that the user is notified upon detection of the occurrence of an error before the order to execute initialization is issued. This user notification is inherently done by a display or sound, since those are the only ways a computer can communicate with a user. It would have been obvious to one of ordinary skill in the art at the time the invention was made to notify the user with a display or sound about the detection of the occurrence of an error before the order to execute initialization is issued to the image generating means. This would allow the user the opportunity to fix the error if user intervention were needed.

16. With regard to claim 13, Maniwa discloses the invention as stated in claim 8. Maniwa does not disclose an input means for allowing an operator to perform an input to reset to recover from an error. Kageyama teaches, in lines 3-4 of page 20, an input unit, which is an input means for allowing an operator to perform an error recovery input causing the control means to issue the image generating means an order to execute initialization. It would have been obvious to one of ordinary skill in the art at the time the invention was made to issue an order to execute initialization to the image generating means when an order to reset to recover from an error is input by input means for allowing an operator to perform an input. This would allow for an operator to make any necessary adjustments to the apparatus in order to fix the detected error.

17. Claims 5-6 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maniwa in view of McIntyre, *et al.* (5,532,849). With regard to claim 5, Maniwa discloses the invention as stated in claim 1. Maniwa does not disclose conversion means for reading in an image and converting the image to image data. McIntyre discloses, as shown in figure 1, a multifunction printing apparatus equipped with a scanner, element 22. An image scanner

inherently comprises conversion means for reading in an image and converting the image to image data. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the apparatus to comprise conversion means for reading in an image and converting the image to image data. This would yield a single apparatus that provides a plurality of image input/output functions such as copy function and printing funciton.

18. With regard to claim 6, Maniwa discloses the invention as stated in claim 1. Maniwa does not disclose a means for sending and receiving image data via a communication line. McIntyre discloses, as shown in figure 1, a multifunction printing apparatus equipped with a facsimile communication function, element 40. A facsimile communication function is inherently a means for sending and receiving image data via a communication line. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the apparatus to comprise a means for sending and receiving image data via a communication line. This would yield a single apparatus that provides a plurality of image input/output functions such as facsimile function and printing function.

19. With regard to claim 11, Maniwa discloses the invention as stated in claim 8. Maniwa does not disclose a conversion step for reading in an image and converting the image to image data. McIntyre discloses, as shown in figure 1, a multifunction printing apparatus equipped with a scanner, element 22. An image scanner inherently comprises conversion means for reading in an image and converting the image to image data. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the method to comprise a conversion step for reading in an image and converting the image to image data. This would yield a single

apparatus that provides a plurality of image input/output functions such as copy function and printing funciton.

20. With regard to claim 12, Maniwa discloses the invention as stated in claim 8. Maniwa does not disclose a method of sending and receiving image data via a communication line. Tabata discloses, in lines 15-18 of column 5, a multifunction printing apparatus equipped with a facsimile communication function. A facsimile communication function inherently comprises a means for sending and receiving image data via a communication line. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the method to comprise a method for sending and receiving image data via a communication line. This would yield a single apparatus that provides a plurality of image input/output functions such as facsimile function and printing function.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Foster whose telephone number is (703)305-1900. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

JF

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